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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/965,025      | 09/27/2001  | Robert J. Tait       | 4402-002            | 2637             |

7590 09/25/2003

Gottlieb, Rackman & Reisman, P.C.  
270 Madison Avenue  
New York, NY 10016-0601

EXAMINER

KINDRED, ALFORD W

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2172

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/965,025

Applicant(s)

TAIT ET AL.

Examiner

Alford W. Kindred

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

1. This action is responsive to communications: application filed on 09/27/01.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis et al., US# 6,578,013 B1.

As per claim 1, ***Davis et al.*** teaches creating and modifying data relating to components specific to that supplier . . .” (see col. 2, lines 41-66) “creating and modifying a plurality of component groups . . . compatibility groups independently . . .” (see col. 7, lines 46-66, whereas Davis’s “supplier administrator”, which includes modifying component groups independently, as illustrated in applicant’s claim language) “receiving product identifiers created by an external source and assigning each product identifier to a compatibility group . . . products with similar compatibilities . . .” (see col. 9, lines 7-34, whereas Davis teaches product comparison as claimed in the applicant’s claim language ) “providing a search tool whereby said database is queried by product identifier . . .” (see col. 9, lines 60-67).

As per claim 2, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

-- ***Davis et al.*** teaches "said suppliers exporting said data portion as modified to said administrator, consolidating said data portions received from said suppliers into said database" (see col. 7, 20-45, whereas Davis' "tracking process . . ." combined with the customer database reads on applicant's claim language).

As per claim 3, ***Davis et al.*** teaches "assigning the product to an existing compatibility group . . . to an unassigned compatibility group" (see col. 6, lines 19-55, whereas Davis' supplier administrator and supplier database, update process, reads on applicant's claim language).

As per claim 4-5, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 1-2 and are similarly rejected.

As per claim 6, this claim is rejected on grounds corresponding to the arguments given to rejected claims 1 and 2 and are similarly rejected including the following:

■ ***Davis et al.*** teaches "multiple supplier interfaces each allowing access to a part of the data relating to the components of the respective supplier . . ." (see col. 10, lines 49-60).

As per claims 7-9, ***Davis et al.*** teaches "components are vehicle components and said product identifiers are vehicle details . . ." (see col. 10, 49-64 whereas Davis' suppliers and products, includes vehicle items as claimed in applicant's claim language).

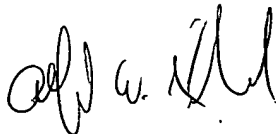
**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US# 6,578,013 B1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 703-305-3802. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Klm Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100